

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

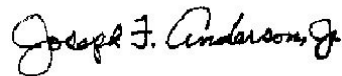
UNITED STATES OF AMERICA)	CR No.: 4:02-922-JFA
)	
v.)	ORDER FOR
)	ADDITIONAL BRIEFING
BRANDON LEON BASHAM)	
)	
_____)	

The court wishes to receive input from the parties on the question of what impact, if any, Federal Evidence Rule 606(b) has upon Claim 28. At least two courts have held that the Rule bars inquiry into pre-deliberation exchanges of emails between jurors. *United States v. Logan*, 250 F.3d 350 (6th Cir. 2001); *United States v. Siegelman*, 561 F.3d 1215 (11th Cir. 2009). It is the court's tentative view that Rule 606(b) does not bar admission of the fact that there were numerous phone calls between the jurors during the trial. It seems to the court, however, that Rule 606(b) would preclude any inquiry of the jurors about premature deliberations in this case.

The parties' briefs should be filed with this court within fourteen days from the date of docketing of this order. No reply briefs are necessary.

IT IS SO ORDERED.

January 30, 2013
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge